

# **Public Participation Plan**

## **Rayonier Port Angeles Mill Site**

**Opportunities to Contribute to the Investigation and Cleanup of the  
Rayonier Port Angeles Mill Site  
Port Angeles, Washington**

Prepared by:



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## **Citizen Opportunities to Participate in the Cleanup Process**

### **Summary**

The Rayonier Mill site, located in Port Angeles, Washington, was originally proposed for cleanup under the Federal Superfund Law. Through an agreement between the Washington State Department of Ecology (Ecology), the Lower Elwah Klallam Tribe, and the U.S. Environmental Protection Agency, (EPA) the EPA deferred the site to Ecology for action under Washington State's cleanup law.

This Public Participation Plan describes the steps that Ecology will take to involve the community in decisions about site activities. The goal is to provide interested parties with a "road map" for the cleanup process and identify points along the way where the community can learn about and provide input on workplans, studies, proposals and decisions.

### **What is a Public Participation Plan?**

One of the main premises of our State's cleanup law, the Model Toxics Control Act (RCW 70.105D), is that the public should be given meaningful opportunities to learn about and provide input to Ecology on important cleanup decisions before they are made. In order to do this, the public needs to have a basic understanding of the cleanup process and knowledge of how to get access to information and provide their input. A Public Participation Plan outlines the means to meet these needs. Ecology will use a variety of outreach tools to engage the public, including fact sheets, media announcements, public meetings, workshops, a resource library, and an Internet web page. The public will be invited to comment on each step in the cleanup process. Ecology will consider and produce a responsiveness summary for all comments received during these input opportunities.

### **Why Have a Public Participation Plan?**

Successful projects rely on sound decisions, formed through free dialogue between all involved interests. Cleaning up the Rayonier Mill Site is important to the environmental quality of the Port Angeles area and its citizens, the Klallam Tribes, Rayonier, the Straits of Juan de Fuca, and watersheds of the northern Olympic Peninsula. The "environment" is not just the natural condition of a place or area, but the interdependence of natural and socio-economic values. It is critical to look at all interests in order to select the best approach.

Ecology's goal is to facilitate collaborative partnerships with all the elements of the community that are concerned with the effects of contaminants at the site. In order to have a successful project, communication between all parties must be open and thorough. The public, which includes elected officials as well as special interest groups and the

general resident population, is the body most familiar with the community, its history, and its values. Public approval is a primary measure of success, as it avoids delays, frustrations, and excess costs.

Ecology believes that the methods outlined in this Plan are the most effective ways to disseminate information concerning the procedural, scientific, and technical aspects of the project. Many of these are complex concepts and processes, but Ecology hopes to explain them in a manner that everyone can understand. Information is the foundation of good decisions.

### **Site History**

The former mill site consists of approximately 70 upland acres, fronting the beach and shoreline of the Strait of Juan de Fuca. Ennis Creek runs down from the foothills of the Olympic Mountains to its terminus in the Port Angeles Harbor. Rerouted a few times in its history, the creek runs roughly one-half mile through the Site. The delta of Ennis Creek, and the adjacent shoreline, is a cultural site of great importance to the Lower Elwha Klallam Tribe. On the east side of the creek, along the beach, was a wealthy fortified Klallam settlement known as Y'innis (I-eh-nus) which means "good beach" in the Klallam language.

Y'innis was one of more than 30 known Klallam villages in the region. The total population of the Tribe was as high as 10,000 in the early 1800's. In 1847, the settlement was known to be occupied by about 200 Klallams. A mural depicting the village can be viewed on the east wall of the Arthur D. Fiero Marine Laboratory near the Port Angeles ferry landing. At the entry to the village was an entrance pole representing Grandmother Bear, indicating that residents of the village were of that Clan. A reproduction of this pole stands at the Lower Elwha Tribal Center.

After introduced diseases swept through the Tribe in the 1850's, only a few residents of Y'innis remained. Some of the survivors continued to live on the beaches of Port Angeles harbor until the 1930's. At that time land was purchased for a Tribal Reservation on the Elwha River and tribal members were relocated.

The Site was next occupied in 1887 by the Puget Sound Cooperative Colony. Members built a sawmill for lumber which was the economic base of the colony and which contributed to the rise of Port Angeles. The gradual absorption of many Colony members into the town, and disputes over the business profits led to abandonment of the site by 1893.

In 1917 the U.S. Government built a sawmill on the site to mill spruce wood for the manufacture of aircraft. However, the success of wooden aircraft proved to be very limited, and the mill sat idle until it was purchased by Olympic Forest Products in 1929. The sawmill, rebuilt as a pulp mill in 1929-1930, was purchased by Rayonier and operated from the 1930's until its closure in February 1997.

The mill used an ammonia-based acid sulfite process to produce dissolving-grade pulps for a specialty pulp market. With additional processing, the buyers of Rayonier's products incorporated the pulp into items such as photographic film, high-impact plastic, fabric, synthetic leather, and disposable diapers.

Environmental practices at the mill evolved over the years of Rayonier's operations as public awareness increased and state and federal environmental laws became more stringent. Prior to 1972, mill effluent was discharged directly to Port Angeles Harbor through a series of outfalls along the shoreline. In 1972, primary treatment (settling) of the waste water began and discharge was transferred to a deep-water outfall located more than a mile offshore. In 1974 a recovery boiler was constructed to recover spent sulfite liquor. A secondary treatment system was added in 1979. Air emissions and pollution control equipment also changed over time as state and federal air pollution requirements evolved.

### **Early Actions and Mill Closure**

In March of 1997, Rayonier closed the mill. Later that year, several environmental groups petitioned EPA to place the site on the National Priority List, making the site a federal "Superfund" cleanup site. EPA responded by conducting an extensive inspection and sampling effort in 1997. The study, known as an Expanded Site Inspection, included the collection and analysis of approximately three hundred samples of soils, surface water, harbor sediments, creek sediments, and marine organism tissues. Based on the results of this study, EPA concluded in January of 1999 that the site was eligible for Superfund status. However, state and local elected officials requested that EPA "defer" Superfund listing, in favor of site cleanup under Washington's Model Toxics Control Act.

The Lower Elwha Klallam Tribe requested an oversight role in the cleanup of the site, as it lies within the usual and accustomed resource area of the Tribe and is of major historical and cultural importance. In March of 1999, Ecology and the Tribe signed an agreement establishing an oversight role for the Tribe under the State cleanup process.

In February of 2000, the EPA announced that they would defer placing the site on the Superfund list in favor of allowing the site to be cleaned up under the State cleanup law. In May EPA, the Lower Elwha Klallam Tribe, and Ecology signed a deferral agreement, outlining the terms and conditions under which the investigation and cleanup process would occur.

Two limited cleanup actions have already occurred on the site. A 2.3 million-gallon fuel tank was decommissioned in 1993, and approximately 1,500 cubic yards of contaminated soil was excavated by Rayonier and removed for off-site treatment. Some contamination remains in place in the vicinity of the old tank.

In 1998 hydraulic oil and polychlorinated biphenyl (PCB) contamination along the west bank of Ennis Creek was cleaned up. The contamination had been caused by leakage of

PCB-tainted oil from large bailing presses in the mill's "Finishing Room". As part of this action, approximately 7,500 tons of contaminated soil was removed and disposed of at the Port Angeles Landfill. This action did not address contaminated soils immediately adjacent to Ennis Creek.

### **The Model Toxics Control Act**

In March of 1989, an innovative, citizen-mandated toxic waste cleanup law went into effect in Washington, changing the way that hazardous waste sites in this state are cleaned up. The Model Toxics Control Act, Chapter 70.105D RCW, is intended to provide a clear and efficient process to clean up chemical contamination of our state's soils, sediments, surface water, and ground water to levels that are protective of our citizens and environment. While modeled after the Superfund Law, the Act is, in general more stringent than the one regulating Superfund cleanups.

The Department of Ecology is charged with administering the Model Toxics Control Act's regulations (WAC 173-340). These regulations were developed by representatives from citizen, environmental, and industry groups and are designed to:

- Facilitate cooperative cleanup agreements rather than Ecology-initiated orders.
- Encourage an open process for the public, local government, and liable parties to discuss cleanup options and community concerns.

Under the Act, past or current owners or operators of facilities which have caused contamination are responsible for investigating and cleaning up the contamination. Although Ecology has the legal authority to order a liable party to clean up, the department prefers to achieve cleanups cooperatively.

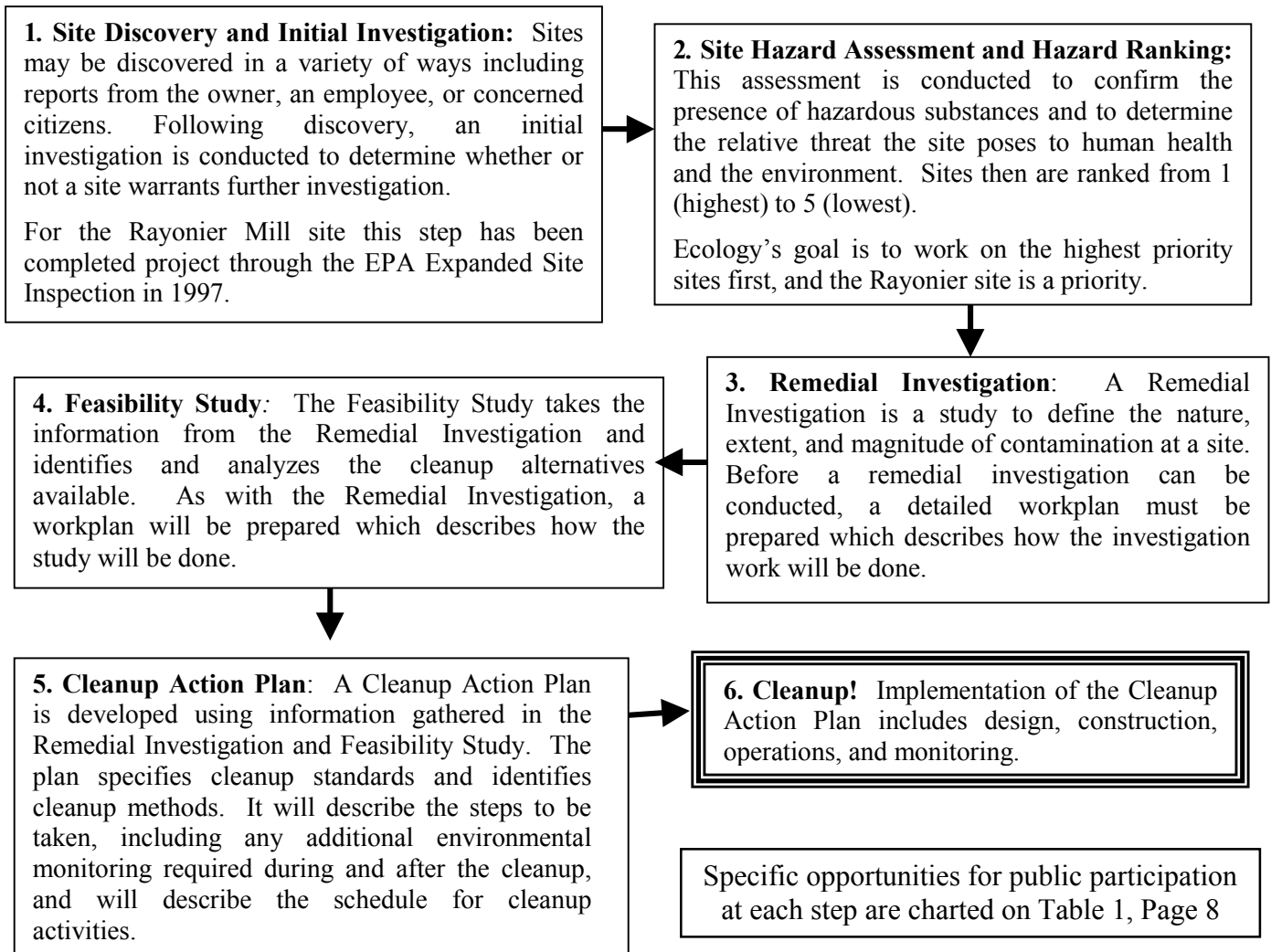
Ecology does not conduct the actual cleanup when a liable party can be identified, but oversees each step of the cleanup process to ensure that investigations, public involvement, and actual cleanup and monitoring are done appropriately. Costs for this oversight are required to be paid by the liable party.

### **What are the Steps in the State Cleanup Process ?**

Washington's cleanup rules lay out in detail each step in the process to ensure that cleanups are thorough and protective of human health and the environment. The chart that begins on Page 5 defines these steps and how they apply to the project site.

## Public Participation Plan for the Rayonier Mill Cleanup

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Some steps described above are accompanied by “Agreed Orders” or “Consent Decrees”, which are the legal documents for implementation of the plans and project.

In addition to the steps on the flow chart, “interim actions” may be taken during the investigation process to reduce or eliminate an immediate threat to human health or the environment. Interim actions under MTCA are described in WAC 173-340-430, and are typically used where an immediate response is appropriate to eliminate a current threat, where a problem may get worse if expedited cleanup actions are not taken, or where contamination in specific areas is at levels that require minimal treatment.

The process is complex, and issues often arise during projects that require additional scrutiny or evaluation, and may lead to changes in the scope or timing. Every effort will be taken to avoid delays.

### Public Involvement

Public participation is an integral part of the Model Toxics Control Act cleanup process (WAC 173-340-600). The law emphasizes giving the public the chance to review and provide suggestions on cleanup decisions at all major steps in the process. Ecology's goal is to provide the public with timely information, an understanding of the process, and opportunities to review and comment on proposed cleanup decisions before they are made (see Table 1 for a detailed list of the planned involvement activities for the Rayonier project).

The immediate goal of this Public Participation Plan is to identify all interested parties and their points of concern. Ecology will use a variety of methods to inform the public about upcoming meetings, cleanup decisions, and important milestones in the cleanup process including:

- **Mailing List**—Ecology maintains a list of interested parties who will receive notices about upcoming activities. Individuals who live in the immediate vicinity of the site, sign in at public meetings, or have provided written comments are automatically entered on the mailing list. Other names are included by request.
- **Fact and Focus Sheets**—These one or two page mailings and handouts will describe decisions and activities and provide information on upcoming opportunities for involvement.
- **Internet**—Ecology will establish a web site for the project where interested community members may go for publications and/or status updates. Follow the Site Cleanup link from Ecology's homepage at [www.wa.gov/ecology](http://www.wa.gov/ecology).
- **News Releases**—Ecology will issue news releases on major milestones and significant events or accomplishments to local media. News releases may also be provided to Seattle-based media and the Associated Press.
- **Notices**—Paid notices will be published in *The Sequim Gazette* and the *Peninsula Daily News* describing upcoming events and comment opportunities.

**Local Information Repositories**—Data, studies, and investigation/cleanup proposals will be made available locally for review. To provide interested citizens with convenient access to cleanup studies or proposals, Ecology will maintain local information repositories at the following locations:

North Olympic Library System  
Reference Desk  
207 South Lincoln  
Port Angeles, WA 98362  
(360) 417-8500

Peninsula College Library  
Reference Desk  
1502 East Lauridsen  
Port Angeles, WA 98362  
(360) 452-9277

Lower Elwha Klallam Tribal Center  
2851 Lower Elwha Road  
Port Angeles, WA 98363  
(360) 452-8471

- **Ecology's Site Register**—A biweekly publication that details the upcoming milestones in statewide cleanup efforts. This will include Fact Sheets mailed out prior to meetings and workshops.
- **Ecology Files**—A complete site file containing all studies and correspondence relating to the site is kept at Ecology's Southwest Regional Office. The address is:

Department of Ecology  
Records Center, Southwest Regional Office  
300 Desmond Drive, Lacey, WA 98503  
Contact: Sherri Greenup (360) 407-6253 *By appointment only*

### How Can the Public Be Sure Their Concerns Are Heard?

- **Comment Periods**—Public comment will be invited at each major step in the process.
- **Public Meetings and Workshops**—Ecology will hold public meetings during each public comment period to discuss and gather input on investigation and cleanup proposals.
- **Written Response to Comments**—Ecology will publish a *Responsiveness Summary* to comments received during comment periods. The responsiveness summary will detail the comments received and provide Ecology's response to each issue.

### Will Ecology Provide Technical Assistance in Review of Documents?

- **Public Participation Grants**—These grants are available to groups needing technical assistance in interpreting cleanup documents. Funding is frequently used to hire technical experts. For more information, contact Diane Singer at (360) 407-6062.
- **Access to Staff**—Ecology will have staff available to answer questions on the cleanup process or meet with individuals or groups as requested. Contact Garin Schrieve at (360) 407-6253 if you have questions or would like someone to come speak to your group.

### Will Public Participation Requirements of Other Laws Be Coordinated?

Whenever possible, Ecology will consolidate public notice and opportunities for public comment required under other environmental laws with those in this plan. One example is the State Environmental Policy Act. In this case, Ecology will hold the comment period for the "threshold determination" under the State Environmental Policy Act concurrently with the comment period required under the Model Toxics Control Act. If the comment period required under the State Environmental Policy Act is shorter than that required under the Model Toxics Control Act, the coordinated comment period will be extended to the longer period.



## Public Participation Plan for the Rayonier Mill Cleanup

<b>Table 1</b> <b>Public Involvement Milestones for Investigation and Cleanup of the Rayonier Mill Site</b>	
<b>Milestone</b>	<b>Public Involvement Activities</b>
Public Participation Plan	<ul style="list-style-type: none"> <li>• Fact sheet mailout</li> <li>• Notice of availability in papers and <i>Site Register</i></li> <li>• Public meeting</li> <li>• News release</li> </ul>
Draft Workplan for Remedial Investigation* Draft Agreed Order	<ul style="list-style-type: none"> <li>• News release</li> <li>• Fact sheet mailout</li> <li>• Notice in papers and <i>Site Register</i></li> <li>• 30-day comment period</li> <li>• Public meeting</li> </ul>
Final Workplan for Remedial Investigation* Final Agreed Order	<ul style="list-style-type: none"> <li>• Notice of availability in papers and <i>Site Register</i></li> <li>• Responsiveness Summary mailed to persons providing comments on the draft</li> </ul>
Draft Remedial Investigation	<ul style="list-style-type: none"> <li>• Fact sheet mailout</li> <li>• Notice in papers and <i>Site Register</i></li> <li>• 30-day comment period</li> <li>• Public meeting</li> </ul>
Final Remedial Investigation	<ul style="list-style-type: none"> <li>• Notice of availability in papers and <i>Site Register</i></li> <li>• Responsiveness Summary mailed to persons providing comments on the draft</li> </ul>
Draft Workplan for Feasibility Study* Draft Agreed Order	<ul style="list-style-type: none"> <li>• News release</li> <li>• Fact sheet mailout</li> <li>• Notice in papers and <i>Site Register</i></li> <li>• 30-day comment period</li> <li>• Public meeting</li> </ul>
Final Workplan for Feasibility Study* Final Agreed Order	<ul style="list-style-type: none"> <li>• Notice of availability in papers and <i>Site Register</i></li> <li>• Responsiveness Summary mailed to persons providing comments on the draft</li> </ul>
Draft Feasibility Study	<ul style="list-style-type: none"> <li>• Fact sheet mailout</li> <li>• Notice in papers and <i>Site Register</i></li> <li>• 30-day comment period</li> <li>• Public meeting</li> </ul>
Final Feasibility Study	<ul style="list-style-type: none"> <li>• Notice of availability in papers and <i>Site Register</i></li> <li>• Responsiveness Summary mailed to persons providing comments on the draft</li> </ul>
Draft Cleanup Action Plan Draft Consent Decree	<ul style="list-style-type: none"> <li>• News release</li> <li>• Fact sheet mailout</li> <li>• Notice in papers and <i>Site Register</i></li> <li>• 30-day comment period</li> <li>• Public meeting</li> </ul>
Final Cleanup Action Plan Final Consent Decree	<ul style="list-style-type: none"> <li>• News release</li> <li>• Notice of availability in papers and <i>Site Register</i></li> <li>• Responsiveness Summary mailed to persons providing comments on the draft</li> </ul>
Regular community updates on cleanup/monitoring	<ul style="list-style-type: none"> <li>• Will be described in the Cleanup Action Plan</li> <li>• Notice in local papers</li> </ul>

\* Workplans for interim actions may also be proposed at these steps

### **Can This Plan Be Amended?**

Ecology views this plan as a living document which may be improved based on suggestions received from the community. An example of this might be a suggestion on how to communicate more effectively with a particular segment of the community. Such improvements may be put into practice without changing the plan.

However, the public participation activities specified for each step in the process will not be reduced without a formal amendment to the plan. Such an amendment will only be made after an opportunity for public comment.

### **How Can I Find Out More?**

Ecology staff are available to answer questions about specific cleanup issues, the process in general, or other questions related to the Site. Staff can also help provide information on related environmental regulations and in finding specific documents that may be of interest to you.

In addition, personnel from Rayonier can answer questions about day-to-day activities on the site. Staff from the Lower Elwha Klallam Tribe are also available to answer questions about cleanup investigations and activities.

If you have questions about the Rayonier Mill Site or the cleanup process in general, please contact one of the individuals listed below:

Garin Schrieve  
Site Manager  
Washington Department of Ecology  
Southwest Regional Office  
P.O. Box 47775  
Olympia, WA 98504-7775  
(360) 407-6253  
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